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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/614,474	07/07/2003	Kimberly L. Person Hei	163.1404USC2	7611

7590

04/20/2007

Attn: Mark T. Skoog
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903

EXAMINER

MCAVOY, ELLEN M

ART UNIT

PAPER NUMBER

1764

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

TJW

Office Action Summary	Application No.	Applicant(s)
	10/614,474	HEI ET AL.
	Examiner	Art Unit
	Ellen M. McAvoy	1764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 January 2007.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 127-159 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 127-159 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 07 July 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| <ol style="list-style-type: none"> 1)<input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2)<input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3)<input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>14 pages</u>. | <ol style="list-style-type: none"> 4)<input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ 5)<input type="checkbox"/> Notice of Informal Patent Application 6)<input type="checkbox"/> Other: _____ |
|---|--|

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the “right to exclude” granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

(1) Claim 136 is rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 16-31 of U.S. Patent No. 6,288,012. Although the conflicting claims are not identical, they are not patentably distinct from each other because the processes may be the same when the lubricant comprises a mixture of two or more types of substantially non-aqueous lubricants (dependent claim 31) selected from a polymer containing silicone, a polydimethylsiloxane compound and a polyalkylene glycol.

(2) Claims 136, 147-149 and 158-159 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-13 of U.S. Patent No. 6,495,494. Although the conflicting claims are not identical, they are not patentably distinct from each other because the methods may be the same when the mixture comprises 0.5 to 8 wt.%

silicone material, 50-90 wt.% of a water-miscible lubricant such as a hydroxy-containing compound, a polyalkylene glycol or glycerol, and 2-49.5 wt.% water (dependent claim 8).

(3) Claims 127-149, 156, 158 and 159 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 62-100 of U.S. Patent No. 6,673,753. Although the conflicting claims are not identical, they are not patentably distinct from each other because, aside from the exact wording, the compositions of claims 127-135 and 137-146 and the methods of claims 136 and 147-149, 156, 158 and 159 are substantially identical to the compositions and methods in the patent.

(4) Claims 127-159 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-45 of U.S. Patent No. 6,207,622. Although the conflicting claims are not identical, they are not patentably distinct from each other because the methods and compositions may be the same when the lubricant composition comprises about 2 to about 10 wt.% of an oleophilic lubricating material selected from a silicone fluid, silicone emulsion, fluorochemical fluid and a hydrocarbon fluid; and about 65 to about 85 wt. % of a hydrophilic lubricating material selected from a hydroxy-containing compound, polyalkylene glycol, copolymer of ethylene and propylene oxides, sorbitan ester or derivative thereof; and about 8 to about 33 wt.% of water or other diluent.

(5) Claims 136, 147-149 and 156-159 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 44- 48, 50-54 and 62-73 of copending Application No. 10/715,575. Although the conflicting claims are not

identical, they are not patentably distinct from each other because the methods may be the same when the water-miscible silicone material of the co-pending application is a polysiloxane.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

(6) Claims 136, 147-149 and 156-159 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 44-48, 50-54 and 62-73 of copending Application No. 10/715,692. Although the conflicting claims are not identical, they are not patentably distinct from each other because the methods may be the same when the water-miscible silicone material of the co-pending application is a polysiloxane.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

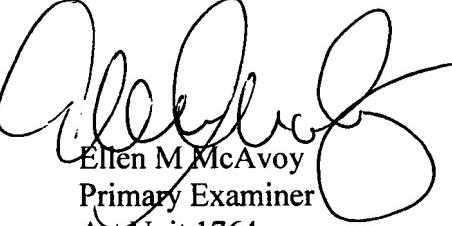
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ellen M. McAvoy whose telephone number is (571) 272-1451. The examiner can normally be reached on M-F (7:30-5:00) with alt. Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Calderola can be reached on (571) 272-1444. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Ellen M. McAvoy
Primary Examiner
Art Unit 1764

EMcAvoy
April 14, 2007

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION <small>(Use several sheets if necessary)</small>		Docket Number: 163.1404USC2	Application Number: 10/614,474
		Applicant: HEI ET AL.	
		Filing Date: JULY 7, 2003	Group Art Unit: 1764
		Customer No.: 23552	



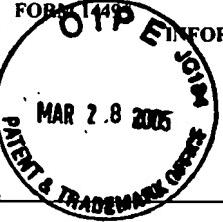
 U.S. PATENT & TRADEMARK OFFICE
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U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
Gill	3,011,975	12/1961	NITZSCHE ET AL.	—	—	
Gill	3,213,024	10/19/1965	BLAKE ET AL.	—	—	
Gill	3,664,956	05/23/1972	MESSINA ET AL.	—	—	
Gill	3,981,812	09/21/1976	ZIETZ	—	—	
Gill	4,062,785	12/13/1977	NIBERT	—	—	
Gill	4,162,347	07/24/1979	MONTGOMERY	—	—	
Gill	4,248,724	02/1981	MACINTOSH	—	—	
Gill	4,252,528	02/24/1981	DECKER ET AL.	—	—	
Gill	4,262,776	04/21/1981	WILSON ET AL.	—	—	
Gill	4,324,671	04/13/1982	CHRISTIAN ET AL.	—	—	
Gill	4,343,616	08/10/1982	DECKER ET AL.	—	—	
Gill	4,436,200	03/13/1984	HODLEWSKI ET AL.	—	—	
Gill	4,478,889	10/1984	MARUHASHI ET AL.	—	—	
Gill	4,486,378	12/04/1984	HIRATA ET AL.	—	—	
Gill	4,515,836	05/07/1985	COBBS, JR. ET AL.	—	—	

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
Gill	1157456	11/1983	CA	—	—		
Gill	0 844 299	05/27/1998	EP	—	—		
Gill	1564128	04/1980	GB	—	—		
Gill	57003892	01/1982	JP	—	—	X (Abstract only)	
Gill	06-136377	05/1994	JP	—	—	X (Abstract only)	
Gill	10053679	08/1996	JP	—	—	X (Abstract only)	
Gill	10059523	03/1998	JP	—	—	X (Abstract only)	

EXAMINER <i>Gill</i>	DATE CONSIDERED <i>13 April 2007</i>
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

 PTO-1449 INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number: 163.1404USC2	Application Number: 10/614,474
	Applicant: HEI ET AL.	
	Filing Date: JULY 7, 2003	Group Art Unit: 1764
	Customer No.: 23552	

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES
<i>Ale</i>	7-268380	10/17/1995	JP	—	—	translation only
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						

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EXAMINER	DATE CONSIDERED
<i>Ale</i> <i>13 April 2007</i>	
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

FORM 1449*		Docket Number:	Application Number:
INFORMATION DISCLOSURE STATEMENT		163.1404USC2	10/614,474
IN AN APPLICATION		Applicant: HEI ET AL.	
(Use several sheets if necessary)		Filing Date: JULY 7, 2003	Group Art Unit: 1764
		Customer No.: 23552	

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MAR 09 2005
PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>Hei</i>	4,420,578	12/13/1983	HAGENS ET AL.	—	—	
<i>Hei</i>	51 4,478,889	07/22/1986	MARUHASHI ET AL.	—	—	
<i>Hei</i>	4,769,162	09/06/1988	REMUS	—	—	
<i>Hei</i>	5,202,037	04/13/1993	LAVELLE ET AL.	—	—	
<i>Hei</i>	5,747,431	05/05/1998	TAYLOUR ET AL.	—	—	
<i>Hei</i>	5,871,590	02/16/1999	HEI ET AL.	—	—	
<i>Hei</i>	5,925,601	07/20/1999	MCSHERRY ET AL.	—	—	
<i>Hei</i>	5,935,914	08/10/1999	THEYSSEN ET AL.	—	—	
<i>Hei</i>	5,952,601	09/14/1999	SANFORD ET AL.	—	—	
<i>Hei</i>	6,060,444	05/09/2000	SCHULZ ET AL.	—	—	
<i>Hei</i>	6,087,308	07/11/2000	BUTLER ET AL.	—	—	
<i>Hei</i>	6,096,19,261	07/19/2000				
<i>Hei</i>	6,495,494 B1	12/17/2002	LI ET AL.	—	—	
<i>Hei</i>	6,673,753 B2	01/06/2004	PERSON HEI ET AL.	—	—	
<i>Hei</i>	6,743,758 B2	06/01/2004	LI ET AL.	—	—	

FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
						YES NO
<i>Hei</i>	99305796.7	Not yet Published (Published as PCT WO 01/07554)	EP	—	—	
<i>Hei</i>	07/247293	09/26/1995	JP	—	—	X
<i>Hei</i>	07/268380	10/17/1995	JP	—	—	X
<i>Hei</i>	WO 01/07554 A1	02/01/2001	PCT	—	—	
<i>Hei</i>	WO 01/12759 A2	02/22/2002	PCT	—	—	

EXAMINER: <i>Hei</i>	DATE CONSIDERED: <i>13 April 2007</i>
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		Filing Date: JULY 7, 2003	Group Art Unit: 1764
		Customer No.: 23552	

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)	
<i>Ale</i>	Docket Sheet for U.S. District Court, District of Minnesota, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No. 0:03-cv-02231, October 25, 2004
	Docket Sheet for U.S. Court of Appeals for the Federal Circuit, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, October 25, 2004
	Complaint, U.S. District Court, District of Minnesota, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No. 0:03-cv-02231 March 7, 2003
	Ecolab's Memorandum of Law in Support of Its Motion for a Preliminary Injunction, March 28, 2003
	Declaration of Tom Arata, March 28, 2003
	Declaration of David Cleveland, March 28, 2003
	Opinion Letter (Exhibit C to Item No. 6), March 25, 2003
	Ecolab Analytical & Physical Chemistry Analysis Report (Attachment B to Item No. 6-C), February 4, 2003
	Product Information Sheet for DOWANOL DPM (Attachment C to Item No. 6-C), August 2001
	Dicolube TPB (JohnsonDiversey Product Information, Attachment D to Item No. 6-C), 2002 or 2003
	DICOLUBE TPB Material Safety Data Sheet (Attachment E to Item No. 6-C), June 20, 2002
	Lubricity Properties of DPM (Attachment F to Item No. 6-C), 2003
	Dicolube System Dicolube TPB (Exhibit D to Item No. 6), 2002 or 2003
	Declaration of Amy McBroom, March 28, 2003
	Product Information Sheet for DOWANOL DPM (Exhibit A to Item No. 7), August 2001
	Ecolab Analytical & Physical Chemistry Analysis Report (Exhibit B to Item No. 7), September 5, 2000
<i>Ale</i>	Dicolube TPB (JohnsonDiversey Product Information, Exhibit C to Item No. 7), 2002 or 2003
<i>Ale</i>	Ecolab Analytical & Physical Chemistry Analysis Report (Exhibit D to Item No. 7), February 4, 2003

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FORM 1449* INFORMATION DISCLOSURE STATEMENT		Docket Number: 163.1404USC2	Application Number: 10/614,474
IN AN APPLICATION (Use several sheets if necessary)		Applicant: HEI ET AL.	
		Filing Date: JULY 7, 2003	Group Art Unit: 1764
		Customer No.: 23552	

<i>Actu</i>	DICOLUBE TPB Material Safety Data Sheet (Exhibit B to Item No. 7), June 20, 2002
	Lubricity Properties of DPM (Exhibit F to Item No. 7), 2003
	Declaration of Rachel Zimmerman, March 28, 2003
	JohnsonDiversey Form 8-K, March 25, 2003
	Answer and Counterclaim, U.S. District Court, District of Minnesota, <u>Ecolab, Inc. v. JohnsonDiversey, Inc.</u> , Case No. 0:03-cv-02231, April 8, 2003
	JohnsonDiversey's Memorandum of Law in Opposition to Ecolab's Motion for a Preliminary Injunction, April 25, 2003
	Declaration of Tim A. Osswald, April 25, 2003
	Curriculum Vitae, Tim Andreas Osswald (Exhibit A to Item No. 11), 2003
	T. Osswald's Prior Testimony (Exhibit B to Item No. 11), 2002 or 2003
	DOWANOL DPM (Exhibit C to Item No. 11), April 13, 2003
	Dicolube TPB (JohnsonDiversey Product Information, Exhibit D to Item No. 11), 2002 or 2003
	DICOLUBE TPB Material Safety Data Sheet (Exhibit E to Item No. 11), June 20, 2002
	Declaration of Dr. Harriet Black Nemhard, April 25, 2003
	Minitab Output of Descriptive Statistics and Confidence Intervals on COF Data for Water, 67 ppm DPM, and 133 ppm DPM (Exhibit A to Item No. 12), 2003
	Declaration of Jacques Rouillard, April 25, 2003
	Product Information Sheet for DOWANOL DPM (Exhibit A to Item No. 13), August 2001
	Report for Project A-258, M. Stanga, Diversey S.p.A. (Exhibit B to Item No. 13), December 1996
	Report for Project A-260, M. Stanga, F. Bruschi, G. Bonaldi (Exhibit C to Item No. 13), September 1997
<i>Actu</i>	Revised List of Conveyor Lubricants Compatible with PET Containers (Exhibit D to Item No. 13), April 10, 1986

EXAMINER	DATE CONSIDERED
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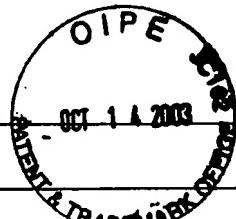
<i>Ree</i>	Third Declaration of David R. Cleveland, May 23, 2003
	Memorandum, Opinion and Order, U.S. District Court, District of Minnesota, <u>Ecolab Inc. v. JohnsonDiversey Inc.</u> , Case No. 0:03-cv-02231, May 29, 2003
	Ecolab's Appeal Brief, U.S. Court of Appeals for the Federal Circuit, <u>Ecolab Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, August 11, 2003
	JohnsonDiversey's Appeal Brief, U.S. Court of Appeals for the Federal Circuit, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, September 22, 2003
	Ecolab's Reply Brief, U.S. Court of Appeals for the Federal Circuit, <u>Ecolab, Inc. v. JohnsonDiverse Inc.</u> , Case No.: 0:03-cv-02231, October 23, 2003
	Federal Circuit Opinion, U.S. Court of Appeals for the Federal Circuit, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, April 6, 2004
	Ecolab's Amended Complaint, U.S. District Court, District of Minnesota, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, June 10, 2004
<i>Ree</i>	JohnsonDiversey's Answer and Counterclaim to Ecolab's Amended Complaint, U.S. District Court, District of Minnesota, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, July 2, 2004
<i>Ree</i>	Ecolab's Reply to JohnsonDiversey's Counterclaim, U.S. District Court, District of Minnesota, <u>Ecolab, Inc. v. JohnsonDiversey Inc.</u> , Case No.: 0:03-cv-02231, August 11, 2004

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PATENT TRADEMARK OFFICE

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FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION <small>(Use several sheets if necessary)</small>	Docket Number:	Application Number:
	163.1404USC2	10/614,474
	Applicant: HEI ET AL.	
	Filing Date: JULY 7, 2003	Group Art Unit: UNKNOWN
	Customer No.: 23552	



EXAMINER

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INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number:	Application Number:
	163.1404USC2	10/614,474
	Applicant: HEI ET AL.	
	Filing Date: JULY 7, 2003	Group Art Unit: UNKNOWN
Customer No.: 23552		

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>Glu</i>	3,514,314	05/26/1970	Nemeth et al.	—	—	
	3,853,607	12/10/1974	Iyengar et al.	—	—	
	4,065,590	12/27/1977	Salensky	—	—	
	4,069,933	01/24/1978	Newing	—	—	
	4,105,716	08/08/1978	Sakai et al.	—	—	
	4,149,624	04/17/1979	Douty et al.	—	—	
	4,264,650	04/28/1981	Schulze et al.	—	—	
	4,274,973	06/23/1981	Stanton et al.	—	—	
	4,289,671	09/15/1981	Hernandez	—	—	
	4,478,889	10/23/1984	Maruhashi et al.	—	—	
	4,486,378	12/04/1984	Hirata et al.	—	—	
	4,515,836	05/07/1985	Cobbs, Jr. et al.	—	—	
	4,525,377	06/25/1985	Nickel et al.	—	—	
	4,534,995	08/13/1985	Pocock et al.	—	—	
	4,538,542	09/03/1985	Kennon et al.	—	—	
	4,543,909	10/01/1985	Sharpless	—	—	
	4,555,543	11/26/1985	Effenberger et al.	—	—	
	4,569,869	02/11/1986	Kushida et al.	—	—	
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EXAMINER: <i>Alley</i>	DATE CONSIDERED: <i>13 April 2007</i>
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.

FORM 1449* O P INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION <small>(Use several sheets if necessary)</small>		Docket Number: 163.1404USC2	Application Number: 10/614,474
		Applicant: HEI ET AL.	
		Filing Date: JULY 7, 2003	Group Art Unit: UNKNOWN
		Customer No.: 23552	

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	4,874,647	10/17/1989	Yatsu et al.	—	—	
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EXAMINER: <i>Elly</i>	DATE CONSIDERED: <i>13 April 2007</i>
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<p style="text-align: center;">INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)</p>	Docket Number:	Application Number:
	163.1404USC2	10/614,474
	Applicant: HEI ET AL.	
	Filing Date: JULY 7, 2003	Group Art Unit: UNKNOWN
Customer No.: 23552		

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<i>Gill</i>	<i>Copy of International Search Report dated June 24, 2003</i>	
<i>Gill</i>	<i>Copy of European Search Report dated July 17, 2003</i>	

EXAMINER: <i>Dick</i>	DATE CONSIDERED: <i>13 April 2007</i>
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INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Docket Number:	Application Number:
	163.1404USC2	10/614,474
	Applicant: HEI ET AL.	
	Filing Date: JULY 7, 2003	Group Art Unit: UNKNOWN
Customer No.: 23552		

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						YES NO
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EXAMINER <i>Colle</i>	DATE CONSIDERED <i>13 April 2007</i>
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Sheet 1 of 1

Date Mailed: August 4, 2004

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)		Docket Number: 163.1404USC2	Application Number: 10/614,474
		Applicant: HEI ET AL.	
		Filing Date: JULY 7, 2003	Group Art Unit: 1764
		Customer No.: 23552	

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EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>Elliott</i>	6,653,263 B1	11/25/03	KÜPPER ET AL	—	—	
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*Substitute Disclosure Statement Form (PTO-1449)

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Notice of References Cited		Application/Control No.	Applicant(s)/Patent Under Reexamination HEI ET AL.	
		Examiner Ellen M. McAvoy	Art Unit 1764	Page 1 of 1

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*	B	US-6,780,823	08-2004	Li et al.	508/113
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	J	US-			
	K	US-			
	L	US-			
	M	US-			

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	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
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